

10/521306

Rec'd PCT/PTO 13 JAN 2005

PTO/SB/01 (09-04)

Approved for use through 07/31/2006. OMB 0851-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**Declaration  
Submitted  
With Initial  
Filing

OR

Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)Attorney Docket  
Number

First Named Inventor

NOEL ALFRED WARNER

COMPLETE IF KNOWN

Application Number

Filing Date

Art Unit

Examiner Name

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Direct Production of Refined Metals and Alloys

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

07/15/2003

as United States Application Number or PCT International

Application Number

WO 2004/007775

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application<br>Number(s) | Country | Foreign Filing Date<br>(MM/DD/YYYY) | Priority<br>Not Claimed  | Certified Copy Attached? |                                     |
|--|---------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
|  |         |                                     |                          | YES                      | NO                                  |
| GB 0216848.6                           | U.K.    | 07/15/2002                          | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |



Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

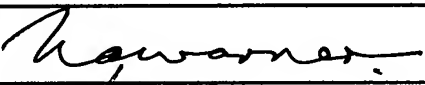
(Page 1 of 2)

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION — Utility or Design Patent Application**

|   |                                   |   |                               |
|---|-----------------------------------|---|-------------------------------|
| Direct all correspondence to: <input type="checkbox"/> The address associated with Customer Number: <span style="border: 1px solid black; display: inline-block; width: 150px; height: 20px; vertical-align: middle;"></span>   |                                   | OR <input checked="" type="checkbox"/> Correspondence address below           |                               |
| Name<br>Professor N A Warner  |                                   |   |                               |
| Address<br>40 High House Drive  |                                   |   |                               |
| City<br>Birmingham  | State<br>West Midlands            | ZIP<br>B45 8ET  |                               |
| Country<br>United Kingdom   | Telephone<br>+44 (0) 121 445 6264 | Fax   |                               |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. |                                   |   |                               |
| NAME OF SOLE OR FIRST INVENTOR:   |                                   | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                               |
| Given Name (first and middle (if any))<br><u>Noel Alfred</u>  |                                   | Family Name or Surname<br><u>WARNER</u>                                       |                               |
| Inventor's Signature<br>  |                                   | Date<br>January 11, 2005  |                               |
| Residence: City<br><u>Birmingham</u>  | State<br><u>West Midlands</u>     | Country<br>United Kingdom   | Citizenship<br>United Kingdom |
| Mailing Address<br>40 High House Drive  |                                   |   |                               |
| City<br>Birmingham  | State<br>West Midlands            | Zip<br>B45 8ET  | Country<br>United Kingdom     |
| NAME OF SECOND INVENTOR:  |                                   | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                               |
| Given Name (first and middle (if any))  |                                   | Family Name or Surname  |                               |
| Inventor's Signature  |                                   | Date  |                               |
| Residence: City   | State                             | Country   | Citizenship                   |
| Mailing Address   |                                   |   |                               |
| City  | State                             | Zip   | Country                       |
| <input type="checkbox"/> Additional inventors or a legal representative are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.  |                                   |   |                               |

DT15 Rec'd PCT/PTO 13 JAN 2005

January 11, 2005

40 High House Drive  
Rednal  
Birmingham  
B45 8ET UK

United States Patent and Trademark Office

Dear Sir

**Re: Small-entity Status**

I am a retired University academic formerly with the University of Birmingham in the United Kingdom without research funding and support. Accordingly, the initial preparation and the background research were all conducted in my private residence. Therefore, I believe I should qualify for small entity status.

Yours sincerely



Noel A Warner  
Emeritus Professor